

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS
EAST ST.LOUIS DIVISION

MAR 03 2008
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS
EAST ST.LOUIS OFFICE

MICHAEL D. ROBINSON (R-16701),)
Petitioner,)
vs.)
DONALD HULICK, Warden,)
Menard Correctional Center,)
Respondent.)

Case No.

08-162-JPl

MOTION FOR APPOINTMENT OF COUNSEL

NOW COMES Petitioner, Michael D. Robinson, in propria persona, in the above-entitled cause and moves in this Honorable Court pursuant to 18 U.S.C. §3006A, for an ORDER appointing counsel to represent Petitioner during all proceedings on his Petition For Writ Of Habeas Corpus pursuant to 28 U.S.C. §2254 By A Person In State Custody and in support thereof, respectfully states as follows.

- (1). That Petitioner, Michael D. Robinson ("Petitioner") is unable to afford counsel. (See, FINANCIAL AFFIDAVIT OF MICHAEL D. ROBINSON IN SUPPORT OF IN FORMA PAUPERIS APPLICATION, with attached EXHIBIT(s); filed and attached hereto.)
- (2). That Petitioner's has inadequate access to the prison law library and limited knowledge of the law. It has only been through the pro bono assistance of a Prisoner At Law, who has prepared all pleadings being filed on Petitioner's behalf in this Habeas proceeding that has allowed Petitioner to exercise his right to access to court.

(3). That the constitutional claims of deprivation this Petitioner has suffered and has raised in his habeas petition are complex and beyond Petitioner's ability to litigate without the assistance of appointed counsel. The Prisoner At Law will be unable to continue his assistance due to Petitioner being moved to another location which prevents further assistance.

(4). That the Prisoner At Law has written four (4) lawyers on behalf of Petitioner requesting representation in this cause of action, but Petitioner did not receive any response to the request for representation. Petitioner plans to continue to sent the form letter Prisoner At Law used (See, attached, EXHIBIT "A"), in seeking representation to other lawyers when financially able to do so.

(5). That Petitioner is not currently, or previously been represented by an attorney appointed by the Court in this or any other civil or criminal proceeding before this Court.

(6). That Petitioner has attached and is filing an IN FORMA PAUPERIS APPLICATION AND FINANCIAL AFFIDAVIT in this proceeding detailing his financial status.

WHEREFORE your Petitioner respectfully prays for the granting of the appointment of counsel to represent Petitioner during all proceedings on his Petition For Writ Of Habeas Corpus Pursuant To 28 U.S.C. §2254 By A Person In State Custody and for other such relief deemed just, equitable and appropriate.

Respectfully submitted;



Michael D. Robinson, Pro Se
Reg. No. R-16701
Menard Correctional Center
P.O. Box 711
Menard, Illinois 62259

STATE OF ILLINOIS)
) SS.
COUNTY OF RANDOLPH)

CERTIFICATION OF VERIFICATION

I, Michael D. Robinson, being first duly sworn upon oath, declare under the penalty of perjury as provided by law pursuant to 28 U.S.C. §1746, that I am Petitioner in the above-entitled cause, that I have read the foregoing MOTION FOR APPOINTMENT OF COUNSEL, and the information contained therein is true and correct in substance and in fact to the best of my knowledge, except as to matters stated to be on information and belief and as to such matters as foregoing that I believe the same to be true and I affix my hand to sign this 27 day of February, 2008, attesting to the truth thereof.

/s/ Michael D. Robinson
Michael D. Robinson, Affiant

EXHIBIT "A"

Michael D. Robinson
Reg. No. R-16701
Menard Correctional Center
P.O. Box 711
Menard, Illinois

Re: People v. Michael D. Robinson, Case No. 02-CF-1305; Lake County; Appellate Court, Second District, No. 2-06-0037 (Post-Conviction); Appellate Court, Second District, No. 2-02-1171 (Direct Appeal).

Dear

I am an indigent inmate currently incarcerated at the above listed address. I am writing to respectfully request pro bono representation in the United States District Court for the Southern District of Illinois, East St. Louis Division, regarding Habeas Corpus Proceedings. I am currently being assisted by a Prisoner At Law, who is preparing a Petition For Writ Of Habeas Corpus Pursuant To 28 U.S.C. §2254, which I hope to file by the end of February. I will also be filing a Motion For Appointment Of Counsel, which required that I attempt to obtain counsel on my own. Due to my indigency, I am unable to afford to hire an attorney. I have no knowledge of the law and have only been able to plan to file pro se because of the assistance provided by the Prisoner At Law, but I can not be sure that he will be able to continue his assistance, thus, my need for an attorney.

Thank you for your time and consideration on this matter. I will await to hear from you.

Respectfully yours,

Michael D. Robinson

cc.

EXHIBIT "A"